

IN THE CLAIMS:

Please amend claim 1 as follows:

1. (Currently Amended) A personal cooling/warming system comprising:
 - [a)] a thermo-electric module that in turn comprises further comprising a solid state thermo-electric integrated chip;
 - [b)] a cold sink connected to said solid state thermoelectric thermo-electric integrated circuit chip;
 - [c)] a direct current source connected to said thermo-electric module;
 - [d)] a heat sink connected to said thermo-electric module; [and]
a thermally conductive pad thermodynamically contacting said heat sink whereby said pad comes into contact with the skin of a user; and
 - [e)] a switch connected in series with said direct current source.
2. (Original) The personal cooling/warming system of claim 1 wherein said direct current source comprises pairs of cells in a round first housing which also may serve as a foldable handle via a hinge connected between said first housing and a second rectangular housing around the said thermo-electro module.

Claim 2 is dependent from claim 1. Accordingly, it is respectfully submitted that this claim is patentable for the same reasons as claim 1 above, as well as because of the combination of the limitations set forth in this claim with the limitations set forth in amended claim 1 from which it depends.

Claims 1 and 2 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Marks (U.S. Patent Number 6,357,251) in view of Harrington (U.S. Patent Number 5,623,828) and further in view of Shimogori (U.S. Patent Number 6,192,702) or Cheng (U.S. Patent Number 5,953,933). Applicant respectfully traverses this rejection.

Claim 1, as amended, is directed to a personal cooling/heating system that includes, *inter alia*, a thermally conductive pad thermodynamically contacting said heat sink whereby said pad comes into contact with the skin of a user. Neither Marks, Harrington, Shimogori nor Cheng disclose or suggest a thermally conductive pad that comes directly in contact with a user's skin. Since none of the patents cited provide the necessary teaching towards the crucial thermally conductive pad in direct contact with the user's skin, no combination can be found to render the instant invention unpatentable over the art of record. Accordingly, it is respectfully submitted that independent claim 1 is patentable over the combination of Marks in view of Harrington or further in view of Shimogori or Cheng.

Claim 2 is dependent from claim 1. Accordingly, it is respectfully submitted that this claim is patentable for the same reasons as claim 1 above, as well as because of the combination of the limitations set forth in this claim with the limitations set forth in amended claim 1 from which it depends.

In view of the foregoing, this application is now believed to be in condition of allowance, which action is respectfully requested.

Respectfully Submitted,



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